

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MARCH 25, 2004
8:15 A.M.**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:17 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, MARCH 23, 2004

MOTION: Heier moved and Schorr seconded approval of the Staff Meeting minutes of March 23, 2004. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. General Assistance (GA) Pharmacy and Medical Billing
- B. Request to Remove Comprehensive Plan Amendment No. 02001.A (Amend the 2025 Lincoln-Lancaster County Comprehensive Plan to Change the Designation from Agriculture to Urban Residential and Commercial Uses on Property Generally Located at the Northeast Corner of 84th & Van Dorn Streets) from Pending (Exhibit A)
- C. Class F (Beer On Sale Only) Liquor License for Gas N Shop, Inc. (4003 West Highway 34)
- D. Report on Lincoln Chamber of Commerce's Lobby Day

MOTION: Hudkins moved and Schorr seconded approval of the additions to the agenda. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Families First & Foremost (F³) Conveners - Schorr

Schorr said a retreat was scheduled to discuss sustainability.

B. Downtown Lincoln Association (DLA) Board of Directors - Stevens

Stevens said the group discussed downtown green space and the need to renovate Centennial Mall. There was also a report from representatives of the Mayor's Infrastructure Finance Study Committee.

C. Lancaster County Juvenile Detention Center Advisory Committee - Heier

Heier reported budget discussion.

D. Community Mental Health Center (CMHC) Advisory Committee - Stevens

Stevens said LB 1083 (Adopt the Nebraska Behavioral Health Services Act) was discussed. He said the providers may submit an alternative to Region V's plan.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit B).

Norm Agena, County Assessor/Register of Deeds, appeared and expressed concern regarding an amendment to LB 973 (Change property tax appeal procedures) that would eliminate the recapture value should land be donated to an organization exempt from taxation under 501c(3) of the Internal Revenue Code.

Kissel said Senator Raikes is also concerned about the amendment and may revisit it on Final Reading.

MOTION: Hudkins moved and Workman seconded to: 1) Support the County Assessor/Register of Deeds' position on the amendment; and 2) Direct Gordon Kissel, Legislative Consultant, and Norm Agena, County Assessor/Register of Deeds, to convey the Board's position to State Senators. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Kerry Eagan, Chief Administrative Officer, expressed concern that a provision in LB 1083 (Adopt the Nebraska Behavioral Health Services Act) that provides counties the right to provide treatment in their Crisis Centers would give Regional Centers an excuse not to accept patients.

Kissel said that was not the intent of the bill and said he will work with Senator Jensen's staff to get that language reworked.

In response to a question from Stevens, Kissel said Senator Schimek would appreciate a letter from the Board indicating that its concerns regarding LB 870 (Change a voting requirement for municipal county consolidations) have been addressed.

Hudkins said he does not believe LB 870 is a good bill, as it further erodes counties powers.

Kissel said the Board's letter to Schimek addressed one concern, which was inaccurate, and said he believes the Board should provide a letter correcting its position on that issue.

The Board asked Kissel and Eagan to draft a letter clarifying the Board's misunderstanding without expressing support for the bill.

Kissel said Senator Schrock has introduced an amendment to LB 32 (Authorized storm water management programs for certain political subdivisions as prescribed) that would provide for financing under the property tax and would allow natural resource districts and cities to exceed the budget lid for that purpose.

Hudkins said this is a state function that is being shifted from sales and income tax to property tax.

MOTION: Hudkins moved and Heier seconded to oppose Senator Schrock's amendment to LB 32. Heier, Hudkins, Workman, Schorr and Stevens voted aye. Motion carried.

Kissel was also asked to work towards amending LB 1160 (Change provisions relating to property equalization timeframes) into LB 973 (Change property tax appeal procedures).

5 PRECINCT ADJUSTMENTS & POLLING PLACE CHANGES - Dave Shively, Election Commissioner; Maura Kelly Tolzin, Chief Deputy Election Commissioner

Dave Shively, Election Commissioner, gave an overview of boundary, precinct and polling place changes (Exhibit C).

6 DRUG COURT - District Court Judge Karen Flowers

District Court Judge Karen Flowers said the Drug Court began operation in June, 2001 with funding through a federal implementation grant and local Law Enforcement Block Grant monies. Since that time more than 300 people have applied to the program. She said 158 were accepted, and of that number 27 have completed the program and 61 remain active. Judge Flowers gave an overview of the Drug Court Program, noting three primary components: 1) Random and frequent drug testing; 2) Intensive supervision; and 3) Accountability. She also presented information regarding the following (Exhibit D):

- Expenses Recovered by Drug Court
- Drug Court Savings of Prosecutorial Dollars
- Children of Drug Court Participants
- Employment and Education of Participants

Judge Flowers said Drug Court stopped accepting applications in March, 2004 because grant funding runs out August 31, 2004 and it takes 12-16 months on average for a participant to complete Drug Court. She asked the County Board to provide the funding necessary to continue.

Patty Conzett, St. Monica's, presented Why Drug Courts Work: From a Treatment Perspective (Exhibit E).

Kimberly Spencer, Judith Fletcher and Robert Walton, Drug Court participants; and Colleen Kadavy, mother of a Drug Court participant, relayed their experiences and urged support of the Drug Court Program.

Gary Lacey, County Attorney; Dennis Keefe, Public Defender; Terry Wagner, Lancaster County Sheriff; and Tom Casady, Lincoln Police Chief, also spoke in support of the Drug Court Program.

Lacey said he is willing to transfer \$30,000 to \$40,000 from the Drug Forfeiture Fund to continue the program, provided the Board also makes a commitment to funding.

Judge Flowers said the University of Nebraska at Lincoln (UNL) Public Policy Center wants to use the Drug Court as a research site. She said the Public Policy Center may be able to secure grant funding, which could help offset some of the costs of the Drug Court. Judge Flowers said she also intends to apply for Byrne Grant through the Nebraska Crime Commission.

The following information was also presented: Cost/Benefit Analysis of the Douglas County Drug Court (Draft Report), Drug Court Fiscal Year 2004-05 Budget; The Rebirth of Rehabilitation: Promise and Perils of Drug Courts (an article which appeared in the May 2000 issue of *Sentencing & Corrections, Issues for the 21st Century* (a publication of the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice); An Honest Chance, Perspectives on Drug Courts (Findings from Drug Court Participant Focus Groups in Brooklyn, Las Vegas, Miami, Portland, San Bernardino and Seattle); and Summary Assessment of the Drug Court Experience (Prepared by the Drug Court Clearinghouse and Technical Assistance Project, a program of the Drug Courts Program Office, Office of Justice Programs, U. S. Department of Justice) (See Exhibits D, F & G).

MOTION: Schorr moved and Heier seconded to allow Judge Flowers to begin accepting additional applicants, with a commitment to fund the Drug Court Program. Schorr, Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

Also present were: District Court Judges Steven Burns, Jeffre Chevront, John Colborn, Bernard McGinn, Paul D. Merritt Jr. and Earl Witthoff; Joe Kelly, Chief Deputy County Attorney; Holly Parsley, Deputy County Attorney; Scott Helvie, Chief Deputy Public Defender; Susan Tast, Deputy Public Defender; Steve Rowoldt, Chief Probation Officer in Adult Probation; Janet Bancroft, Nebraska Supreme Court; Tom Rathburn, Chris Richter and Julie Scott, Lancaster County Adult Drug Court Program; Courtney Baker, Drug Court participant; Pat Holmquist and Janice Meints, Lutheran Family Services; Collette Schwindt and Mike Donlan, County Commissioner Candidate.

- 7 A) FAMILIES FIRST & FOREMOST (F³) ANNUAL REPORT; AND B) NEW LOGO** - Sheryl Schrepf, Families First & Foremost (F³) Director; Ken Gallagher, University of Nebraska Lincoln (UNL)

A) Families First & Foremost (F³) Annual Report

Ken Gallagher, University of Nebraska Lincoln (UNL), gave an overview of Families First and Foremost: Evaluation Report, Executive Summary (Exhibit H).

Eagan noted that the Youth Assessment Center (YAC) is not indicated as a statistically significant source of referrals to Families First & Foremost (F³).

Sheryl Schrepf, F³ Director, said there has been a “disconnect” with the Juvenile Justice System and said steps are being taken to increase that linkage.

In response to a question from Schorr, Schrepf said the Lincoln Public Schools (LPS) will not have a contract with care coordinators next year, but Lincoln Northeast High School and Culler Middle School have agreed to provide space for that purpose.

Schorr asked whether the lack of direct contact will impact the education component, in terms of absenteeism, detention and suspensions.

Gallagher said the effectiveness of the System of Care comes with the structure of the program, not where the treatment occurs.

B) New Logo

Item held.

- 8 LINCOLN-LANCASTER COUNTY ECOLOGICAL ADVISORY COMMITTEE** - Dick Esseks, Lincoln-Lancaster County Ecological Advisory Committee (EAC) Chair; Val Bohaty, Jim Culver, Marilyn McNabb, Kay Kottas, Kip Hulvershorn and Cyril Bish, EAC; Mike DeKalb, Planning Department; Terry Genrich, Parks & Recreation Natural Resources Manager

Dick Esseks, Lincoln-Lancaster County Ecological Advisory Committee (EAC) Chair, said the EAC identified the following issues of importance at a recent planning retreat:

Open Space

- Realize the Heritage Trail
- Promote connectivity between open-space areas
- Open-space possibilities resulting from development of the South Beltway
- Need for a county parks department
- Management of Wilderness Park

- Monitoring management of conservation easements
- Protection of saline wetlands
- Appropriate buffers around vulnerable natural resources
- Balance needs of growth and of preservation

Floodplains

- Pending legislation coming from the Mayor's Task Force
- Monitor compliance with regulations

Esseks said EAC members have also expressed interest in reviewing the proposed Comprehensive Plan amendments and other land-use polices for consistency with the Environmental Resources chapter of the adopted Comprehensive Plan and in developing subcommittees/study groups to become informed about and provide advice on three issue areas: 1) Open space acquisition and management in the county; 2) Policies affecting floodplain and stormwater management; and 3) Agricultural land uses in Lancaster County, including future alternatives for agriculture in the county. He asked the Board whether it believes the EAC is focusing correctly.

Board members said they concur with the focus areas.

Hudkins recommended inclusion of a working farmer on the Agricultural Land Issues Subcommittee.

The Board asked the EAC to provide input on the following issues:

- South and East Beltways
- 40th Street overpass
- West Bypass and closure of Old Cheney Road at Highway 77
- Replacement of a narrow bridge over Beal Slough on Pioneers Boulevard
- Algorithm that allows acreage development near ecologically sensitive areas
- How to plan for use of land that is set aside in the development of Community Unit Plans, when it becomes appropriate

The Board also requested a listing of sensitive areas in the County.

Mike DeKalb, Planning Department, said the EAC has identified native prairies and its aerial photographs and maps are digitized in the Geographic Information System (GIS) database.

A summary of the first meeting of the Subcommittee on Agricultural Land Issues was also presented (Exhibit I).

Workman exited the meeting at 11:40 a.m.

9 DRUG AND ALCOHOL EVALUATOR - Michelle Schindler, Youth Assessment Center (YAC) Interim Director

Michelle Schindler, Youth Assessment Center (YAC) Interim Director, said she recently learned that Lancaster County was awarded LB 640 funds for YAC (Exhibit J). She requested authorization to enter into a three month contract with Child Guidance Center for a part-time Certified Addiction and Drug Counselor (CADC) to provide drug and alcohol evaluation services to meet the objectives as outlined in Section B (see Exhibit J), at an approximate cost of \$9,000, and continuation of the program into next fiscal year to utilize the remaining funds. An alternative would be to enter into a fifteen month contract with Child Guidance Center to meet the objectives in Sections B and C (see Exhibit J).

In response to a question from Schorr, Schindler said drug and alcohol evaluations are being conducted, but under different funding. This would extend the hours that services are available.

MOTION: Heier moved and Schorr seconded to authorize Michelle Schindler, Youth Assessment Center (YAC) Interim Director, to work with the County Attorney's Office and Dave Kroeker, Budget and Fiscal Officer, to develop a three month contract, with an option to renew for twelve months, with Child Guidance for an on site, part-time Certified Addiction and Drug Counselor (CADC) to provide drug and alcohol evaluation services, utilizing the LB 640 funds. Schorr, Heier, Hudkins and Stevens voted aye. Workman was absent from voting. Motion carried.

ADDITIONS TO THE AGENDA

A. General Assistance (GA) Pharmacy and Medical Billing

Eagan said there are ongoing problems with getting pharmacy bills paid.

MOTION: Hudkins moved and Heier seconded to notify the Nebraska Department of Health and Human Services (HHS) that the Board wants all of the General Assistance (GA) pharmacy and medical billings turned over to the Lincoln-Lancaster County Health Department by the end of next week. Hudkins, Heier, Stevens and Schorr voted aye. Workman was absent from voting. Motion carried.

Hudkins exited the meeting at 11:58 a.m.

- B. Request to Remove Comprehensive Plan Amendment No. 02001.A (Amend the 2025 Lincoln-Lancaster County Comprehensive Plan to Change the Designation from Agriculture to Urban Residential and Commercial Uses on Property Generally Located at the Northeast Corner of 84th & Van Dorn Streets) from Pending (Exhibit A)

The Board scheduled the item on the March 30, 2004 Board of Commissioners Meeting agenda.

- C. Class F (Beer On Sale Only) Liquor License for Gas N Shop, Inc. (4003 West Highway 34)

Item held.

- D. Report on Lincoln Chamber of Commerce's Lobby Day

Stevens gave a brief report on the event.

10 ACTION ITEMS

- A. Microcomputer Request C#2004-113 from Community Mental Health Center (CMHC), \$57,205.63 for 50 Pentium IV's, Funding Source to be Determined

Item held for additional information.

11 ADMINISTRATIVE OFFICER REPORT

- A. New Version of TRIM (Electronic Recordkeeping System)

Gwen Thorpe, Deputy Chief Administrative Officer, reviewed costs for the TRIM conversion (Exhibit K).

The Board requested additional information on whether the seven computers for the County Attorney's office will be purchased with Drug Forfeiture funds.

- B. Correspondence from Lancaster County Agricultural Society Regarding Sign

Board consensus was to schedule discussion with Gary Britton, Assistant Right-of-Way Manager for the Nebraska Department of Roads and invite Ron Snover, Lancaster County Agricultural Society President; Alan Wood, Lancaster County Agricultural Society Counsel; and Wayne Venter, Managing Director of the Event Center, to attend.

C. Board of Health Appointments (Kate Kulesher and Dr. Lisa Peterson)

The Board scheduled the appointments on the March 30, 2004 Board of Commissioners Meeting agenda.

D. Lincoln-Lancaster Women's Commission Appointments

The Board scheduled the appointments on the March 30, 2004 Board of Commissioners Meeting agenda.

E. Employee Recognition Awards (May 4, 2004)

Eagan said recipients will receive "Shop Lincoln" gift certificates.

F. Pension Update (Clear Future, Enrollment Meeting, and Meeting with Mike Studebaker, Nationwide Retirement Solutions (NRS) Regional Vice President)

Eagan said Mike Studebaker, Nationwide Retirement Solutions (NRS) Regional Vice President, will meet with the Pension Review Committee on April 14, 2004. He said an enrollment meeting for the 457 Deferred Compensation Plan is scheduled that day and said Studebaker will give a presentation on Clear Future.

The Board scheduled discussion with Studebaker on the April 15, 2004 Staff Meeting agenda

G. City-County Common Agenda

Brief discussion took place regarding agenda items.

H. Rural Transit Grant

MOTION: Schorr moved and Heier seconded to authorize the Chair to sign the grant application. Heier, Stevens and Schorr voted aye. Motion carried.

I. Youth Assessment Center (YAC) Meeting (March 30, 2004)

Eagan said he and Thorpe will serve as facilitators.

12 ADJOURNMENT

MOTION: Schorr moved and Heier seconded to adjourn the meeting at 12:33 p.m. Heier, Schorr and Stevens voted aye. Hudkins and Workman were absent from voting. Motion carried.

Bruce Medcalf
Lancaster County Clerk